Case 2:04-cv-01993-LKK-JFM Document 88 Filed 11/03/05 Page 1 of 1 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 FOR THE EASTERN DISTRICT OF CALIFORNIA 9 VISION SERVICE PLAN, 10 NO. CIV. S-04-1993 LKK/JFM 11 Plaintiff, v. 12 ORDER UNITED STATES OF AMERICA, 14 Defendant. 15 The court is in receipt of defendant's motion for leave to 16 17 file a sur-reply, construed as an ex parte application. So 18 construed, the application is denied. IT IS SO ORDERED. 19 20 DATED: November 3, 2005. 21 /s/Lawrence K. Karlton LAWRENCE K. KARLTON 22 SENIOR JUDGE UNITED STATES DISTRICT COURT 23 24 25 26